Supreme Court, U. S.
FILED
AUG 2 1976
MICHAEL RODAK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1975

No. 75-1901

SAMUEL H. SLOAN,

Petitioner,

—against—

CANADIAN JAVELIN LTD., et al.,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

RESPONDENTS' BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

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July 30, 1976

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While petitioner claims otherwise, it is so patently obvious that the petition presents no substantial question cognizable under this Court's certiorari jurisdiction that we limit ourselves to noting that the only question properly presentable is whether the District Court abused its discretion in dismissing the complaint under Rule 41 of the Federal Rules of Civil Procedure for lack of prosecution and noncompliance with the Court's orders. That

exercise of discretion by the District Court complied in every respect with the guidelines laid down by this Court, *e.g., Link* v. *Wabash R.R.*, 370 U.S. 626, 629-33 (1962).

Since that question is certainly not one which this Court should consider on certiorari, we respectfully submit that the petition should be denied.

Respectfully submitted,

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